

drawings. The remaining amendments are likewise evident from the drawings, coupled with the written description and the original claims.

#### Paragraph 1 and 2 - Specifications

##### Drawing Objections

The objections to the drawing and specification on page 2 of the Office Action is corrected by correctly referring the contaminated discharge pipe as 32 instead of the incorrect reference to 25p. The accompanying amended page 5 of the specifications reflects this correction. The inadvertent and incorrect written reference to 25p is evidenced by referring to Figure 6, the waste conduit 32 to waste tank 37 description of page 5, line 28 and that of page 6 lines 7-8. Since the specification on page 5, line 11 has been amended from 25p to 32, the specification is now been placed in conformance with Figure 6.

##### 35 USC 112 Rejection

The rejection of claims 7 and 9 under 35USC112 has been corrected by replacing the words "feeder includes" by the words "pump comprises" which ties claim 7 onto the "a pump for pumping the liquid feed" antecedent recital of claim 1. Similarly, claim 9 has been amended to recite "the pump for pumping" which corresponds to its antecedent basis in claim 8. Applicants' attorney respectfully submits that these amendatory changes now place claims 7 and 9 in full compliance with the formal requirements of 35USC112, second paragraph.

##### 35 USC 102 Rejections

Claims 1-12 stand rejected as being anticipated under 35USC102(b) by either the cited Locke et al '290 patent, the cited Locke et al '415 patent, the cited Soviet patent or the cited Manzer patent for reasons stated in paragraph 4 of the Office Action. None of these cited patents individually disclose all of the claimed embodiments of applicants' claims 1-12. Accordingly, none of these patents can be deemed to anticipate applicants' claims under 35USC102(b).

Except for Locke et al '415, none of the cited patents disclose a hummingbird feeder. The Locke et al '415 hummingbird embodies none of applicant's claimed features of claims 1-12 because it is a wick feed feeder to which none of applicants' claimed embodiments apply. The Soviet patent pertains solely to a livestock watering device, neither suited nor intended for use as a hummingbird feeder. Locke et al '290 discloses an automatic water dispensing valve device which purportedly can be used for a host of different uses listing amongst many other potential uses hummingbird feeder. Locke et al '290 neither discloses nor contemplates the hummingbird feeder of applicants' claims 1-7 and its use of claims 8-12. The cited Manzer patent nowhere mentions a hummingbird feeder much less that of hummingbird feeder embodying the claimed cooperative components of applicants' claims 1-12. The Manzer patent discloses a bird watering bath equipped with an open bowl or basin and a toilet flushing valve which allows the bowl to be flushed. The Manzer patent neither discloses nor contemplates applicants' claims 1-12.

The Soviet patent neither anticipates nor renders Applicants' claims 1-12 obvious when viewed in light of any of the cited patents including the Locke '290, the Locke '415 or the Manzer patents. The crux of the 35USC102 and 103 rejections of applicants' claims rest upon totally inapposite Soviet patent teachings.

The Soviet patent does not, in any form or manner, relate to a humming bird feeder. The essence of the Soviet patent is illustrated by Soviet Figures 1 and 2 of which Figure 1 reveals an elastic livestock drinking cup or bowl filled with drinking water while Figure 2 depicts the flushing and cleaning embodiments of the Soviet patent. The flushing and cleaning embodiments completely fail to disclose or teach the claimed embodiments of applicants' hummingbird feeder and the method of its use.

Applicants' claims are directed towards a feeding cup and overflow trap inlet or jacket covered by a lid having a feeding orifice positioned so as to provide a feeding hummingbird access to the liquid feed contained within the feeding cup. The Soviet bowl 6 is constructed of an elastic material such as that of a pliable rubber bowl as shown in

Figure 1 which when pressure is applied within the hermetically sealed rigid case 5, the pressure inverts the elastic bowl 6 into a dome shape which then allows the inverted bowl to be flushed with cleaning water as illustrated by Soviet patent Figure 2.

The Soviet patent does not in any form rely upon filling the feeding cup with excess liquid feed causing the cup to overflow and flush the contaminates into an overflow trap as claimed by applicants' herein. The inverted bowl of Figure 2 cannot in any manner be filled with excess feed liquid causing an overrun of contaminates to be flushed into applicants' claimed overflow trap inlet or jacket. Its inverted shape does not meet applicants' claimed limitation of a feed cup filled with excess feed so as to flush contaminates therefrom. The Soviet patent inverted bowl of Figure 2 is not a feeding cup since it cannot hold liquid feed and thus fails to serve as a feeding cup.

The Soviet patent is a livestock drinking cup, not a hummingbird feeder. Applicants' claims 1 and 8 recite a hummingbird feeder having a feeding cup and an overflow trap inlet covered by a lid having a feeding orifice positioned so as to provide a feeding hummingbird access to liquid feed contained within the feeding cup. The Soviet patent neither discloses nor contemplates a hummingbird feeder equipped with the claimed lid covering the feeding cup and the overflow trap inlet. How would the Soviet patent accomplish the inverted elastic bowl flushing attributes shown in Figure 2, if there existed a covering lid as claimed herein by applicants which would prevent the elastic bowl from inverting into a dome shaped structure or which as such cannot in any form contain liquid feed and contaminates as claimed? How can you fill with excess liquid feed to cause a feed overflow and flushing of contaminates from a feeding cup when the structure flushed with water is a dome as shown by Soviet patent Figure 2?

Obviously, the Soviet patent neither anticipates nor contains any suggestive teachings which would guide the ordinary artisan towards the unobvious and undisclosed of applicants' unique claimed invention. The Soviet patent does not include the unique

cooperative arrangement of claimed components needed to accomplish applicants' claimed objective.

U.S. Patent No. 5918415 bears no relationship to Applicants' claimed hummingbird feeder. The feeding cup and the overflow trap inlet or jacket for capturing contaminants which overflow the feeding cup by flushing and overrunning the feeding cup with excess feed to cause the contaminants to overflow the hummingbird feeding cup are neither disclosed nor contemplated by Locke et al '415. The Locke et al patent '415 does not disclose applicants' combination of a lid with a feeding orifice covering a feeding cup and an overflow trap inlet or jacket to capture contaminants flushed from the feeding cup with excess liquid feed by filling the cup and causing the contaminants to overflow the feeding cup and drain onto the overflow trap inlet or jacket. There exists no feeding cup in the Locke et al '415 patent. Hummingbird feeder in Locke et al '415 is accomplished by wicking through wicks 187 and 188, not by the claimed feeding cup (e.g. see Col. 4, Line 62 - Col. 15, Line 57). There also exists no flushing or overflowing of a cup to flush contaminates from a feeding cup into an overflow trap.

The Office Action appear to place emphasis upon the fact that Locke et al '415 discloses an external drain port 38 and overflow traps. There exists no teaching in Locke et al '415 pertaining to flushing a feed cup to cause an overflow of contaminates into an overflow trap inlet or jacket as claimed by applicants' herein. Locke et al '415 takes extra precautions to insure that the feed supply is not contaminated much less flushing contaminates from the system. This is evident in Col. 7, lines 43-46 which states:

Locating the snorkel assembly inside the basin 10 prevents accidental damage and prevents fouling by mud, dirt, water, insects, and other debris that could occur if ported anywhere external to the basin 10.

If Locke et al '415 relies upon wicks to deliver feed to the feeding hummingbird, it is understandable why it is essential to deliver uncontaminated feed to the wicks so as to prevent contamination and clogging of the wicks. Since Locke et al '415 stresses the

delivery of pure and uncontaminated feed to the discharging ports 38 and wicks 187 and 188, the captive flushing embodiments of applicants' claimed invention are neither disclosed nor taught thereby.

How Locke et al '290 may be deemed to anticipate applicants' claims 1 and 8 is not understood. The "multi-purposed automatic filling and leveling liquid basin with liquid transfer is not:

1. a hummingbird feeder,
2. a method for flushing contaminates from a hummingbird feeder,
3. a hummingbird feeder comprised of a feeding cup and overflow trap inlet or jacket covered by a lid having a feed orifice positioned so as to provide a feeding hummingbird access to liquid feed contained within the feeding cup, and
4. the overflow contaminant flushing attributes by overfilling the feeding cup to cause an overflow of contaminates onto the overflow trap inlet or jacket.

The Office Action is most confusing by the references made to a host of apparent elements (e.g. such as proximate 635, 661 of Locke '290 - at 10" etc.) which neither bear any relationship to applicants' invention nor the working operation of the elements in the cited patents. The mere fact an element which may bear some sort of semblance in one patent when taken out of context of the patent teachings in which it is found does not necessarily bear any relevancy to 35USC102 and 35USC103 issues. Issues under 35USC103 and 102 are not resolved by a search of a glossary of terms taken out of context in which they are found merely because they may or may not bear some semblance to a claimed component. Applicants' claims 1-12 are dependent upon a unique combination of claimed components which cooperatively accomplish a completely different function from what is disclosed by any of the patents or any combination thereof. What Applicants' have accomplished by a unique cooperative arrangement or claimed elements remains undisclosed and untaught by any of the cited prior art.

None of the patents relied upon for the 35USC102 rejection (the Manzer '991 patent, Locke et al '290 and '415, and the Soviet Patent) remotely relate to a hummingbird feeder equipped with a feeding cup and overflow trap inlet or jacket covered by a lid having a humming bird feeding orifice positioned so as to provide a feeding hummingbird access to the feeding cup. Applicant is not claiming the Soviet livestock feeder or wicked Locke et al '415 feeder or the automatic filling and liquid level regulating device of Locke et al '290 or the bird bath or animal watering bowl of the cited '998 Manzer. None of these cited 35USC102(b) patents disclose the hummingbird feeder elements or how these unique elements are combined to create a uniquely different hummingbird feeder and its use. Anticipation must be disclosed solely within a single reference. A failure to disclose a single claimed material feature of a claimed invention rules out any such patent or reference as an anticipating reference under 35USC102(b).

The anticipation rejections of claims 1-12 under the paragraph 4 rejection of Paper No. 20040122 must accordingly be withdrawn. Since claims 1 and 7 are not otherwise rejected, these claims are ipso facto allowable along with their dependent claims 2-6 and 8-12.

#### 35 USC 103(a) Rejection

In paragraph 5 of the Office Action only, claims 2-6 and 11-12 stand rejected under 35USC103(a) for the reasons stated therein. Claims 1 and 7-8 are not rejected under 35USC103 in Paper No. 5. Since claims 1 and 7-8 were only rejected under 35USC102(b) and there exists no statutory 102(b) basis to reject claims 1, 7-8 as pointed out above, claims 1, 7-8 must necessarily be deemed to be allowable. Since claims 1 and 8 are independent claims upon which dependent claims 2-7 and dependent claims 9-12 respectively depend, these dependent claims are ipso facto allowable by reason the independent claims are allowable.

Applicants respectfully submit the cited patents of record neither teach nor suggest nor remotely contemplate the unobvious claimed embodiments of applicants' claims 1-12.

Accordingly, the 35USC103 rejection of record should be withdrawn and the claims 1-12 should be allowed to issue.

It is necessary in a 35USC103(a) rejection for the patents relied upon in making the 35USC103(a) rejection to fairly teach and suggest the reasons and rational for combining teaching from two or more different patents. Under 35USC103(a), patents may not be used as a glossary for finding elements claimed by an applicant and then by resorting upon applicant's own teachings to supply the rational or reason why such unrelated glossary terms may be combined to yield an applicant's unique cooperative combination of claimed elements which function in a different manner to produce a totally unrelated end result. The 35USC103(a) rejection of record falls within the ambit of such hindsighted reconstruction of the prior art.

More specifically, in paragraph 5 of the Office Action, claims 2 and 4 stand rejected as unpatentable over Locke '290 or Locke '415 in further view of the Soviet patent. The Office Action admits that neither Locke '290 nor Locke '415 disclose a feeding cup positioned entirely in the overflow trap while also alleging that all of the remaining elements of applicants' claims 2 and 4 are disclosed by Locke et al '290 and '415. This is not true. Actually, there exists little if anything of applicants' invention disclosed and taught by either Locke '290 or Locke '415. Locke et al '415 clearly does not disclose a hummingbird feeding cup positioned within an overflow trap inlet or jacket and fitted with a lid having a hummingbird feeder orifice which allows the hummingbird to feed from a feeding cup. As a matter of fact, Locke et al '415 does not even disclose a hummingbird feeder cup but relies upon feeding wicks for feeding the hummingbird. Locke et al '415 forces the liquid feed onto the feeding wicks. To arbitrarily assume that all of applicants' distinguishing attributes may be summarily used to replace the forced wick system of Locke et al '415 strictly involves hindsighted reconstruction of the Locke et al '415 patent solely in view of applicants' teachings and not what the Locke et al '415 patent fairly teaches and suggest to the ordinary artisan. To replace the feeding wicks of

Locke et al '415 with applicants' claimed feeding cup would completely alter the mechanics and operation of the Locke et al '415 and render the Locke et al '415 wicks unfit and inoperable for their intended purpose and function.

Although Locke et al '290 mentions that the multi-purpose automatic filling and leveling device may serve as a dispensing source of water under pressure to a host of water using attachments while casually mentioning hummingbird feeders amongst a myriad of other potential attachments, Locke et al '290 actually discloses nothing about applicants' claimed hummingbird feeder. There exists nothing in Locke et al '290 about a hummingbird feeder except that the Locke et al '290 device may be used as a pressurized source for a watering attachment. Thus, the unique cooperative arrangement of claimed elements of applicants' claimed hummingbird feeder and its use remain clearly undisclosed by Locke et al '290. Whatever type of hummingbird feeder to which the Locke et al '290 water dispensing device may be applied, rests solely upon conjecture. Conjecture does not meet the required factual oriented basis upon which to predicate a proper 35USC103 rejection.

The amended claims clearly distinguish applicants' hummingbird feeder and its use over the Soviet patent and its reliance in rejecting any of applicants' claims under 35USC103. Applicants' claimed embodiments rely upon overfilling the claimed hummingbird feeding cup so that the contaminates overrun the hummingbird feeding cup brim and become captured by the claimed overflow trap inlet or jacket. The Soviet patent neither includes nor contemplates any of these claimed embodiments nor does it function in the same manner as the claimed embodiments of applicants' claims 1-12. The Soviet patent accordingly cannot be relied upon as a combinable or enabling reference teaching under 35USC103.

The Soviet bowl is a livestock drinking bowl (never a hummingbird feeder or cup) which has no lid much less a lid fitted with a hummingbird feeding orifice which allows the hummingbird to feed from the feeding cup (c.g. see Figure 1 Soviet Patent). The livestock

drinking cup features of the Soviet patent would be totally frustrated by a lid which only allows access to a small beak of a hummingbird. When the Soviet patent device is flushed as shown in Figure 2, it is no longer a drinking cup of any kind. It holds no water or feeding fluid. The overflow features of applicants claimed hummingbird feeder and its use cannot in any form or manner be accomplished through the incorporation of the Soviet patent Figure 2 embodiments into applicants' device claimed and its use of claims 1-12.

Flushing the inverted bowl of Figure 2 is an essential embodiment and teaching of the Soviet patent. An inverted bowl is not a feeding cup. An inverted bowl cannot be filled with excess liquid feed so as to permit flushing of contaminates from the feeding cup and overflow thereof into an overflow trap as claimed by applicants' herein.. To incorporate or alter the Soviet patent to include applicants' claimed features would alter the Soviet patent teachings so as to render it inoperative for its intended purpose and function. Patents do not suggest and teach embodiments which would render their patented features useless or inoperative. The basic and novel teachings of the Soviet patent cannot be summarily dismissed and modified in a manner completely contrary to what the Soviet patent teaches and especially when the Soviet patent is combined with another patent under 35USC103. The Examiner's application of the Soviet patent teachings to the combined teachings of the 35USC103 reference combination herein distorts the Soviet patent teachings to a mechanical device which functions completely contrary to what the Soviet patent teaches.

How would the Soviet patent ever be able to perform the inverted bowl flushing position of Soviet patent Figure 2, if it were to incorporate applicants' claimed feeding covered by a lid having a feeding orifice positioned so as to provide access to the feeding cup? Obviously such a modification to the Soviet patent livestock drinking cup would render it useless and unfit for its flushing attributes. Obviously the Soviet patent does not teach and suggest what the Office Action proposes it to teach

The assumption that the Soviet patent discloses a feeding cup which is assumed to be entirely within the overflow cup of Figure 1 becomes totally meaningless under 35USC103 because the Soviet Figure 2 discloses flushing an inverted dome and not a liquid holding or retaining cup. The operation of the Soviet cup and its flushing attributes depends upon Figure 2 of which Figure 1 has no relevancy. The Examiner's comments that the feeding cup positioned entirely in the overflow trap of the Soviet patent so as to make the device more compact and easier to transport or store, is irrelevant and purely speculative and especially since the claimed cover and lid of applicants' claimed combination would render it inoperative to its ability to perform the Figure 2 function. Patents do not teach or suggest embodiments which are complete contrary to their teachings. This is precisely what the Office Action has done in combining the Soviet patent with the Locke et al patents as well as any of the other 35USC103 references of record. Contrary to the Examiner's position, on page 6, it would not be obvious to add the feeding cup positioned entirely in the overflow trap of the Soviet patent so as to make the device more compact and easier to transport or store. This is pure speculation without any art founded factual support. Moreover, to do so would destroy the essence of the Soviet patent teachings. Patents never teach that their teachings should be destroyed nor should they be combined with another reference in a manner in which the combination would destroy their teachings.

As to the rejection of claim 3 on page 7, obviously the Soviet patent does not disclose feeding ports positioned above the brim of the feeding cup. Such a hypothetical conclusion would, in fact, destroy the essence of the Soviet patent as well illustrated in Figure 2.

The Locke et al '415 patent allegedly discloses feeding ports, with an apparent reference to Figures 8G and approximate items 218 and Figure 13 positioned above the brim of the cup. However, it is quiet clear that these are not feeding ports but feeding

wicks which bear no relationship to the overall combination of cooperative claimed elements of applicants' claim 3.

There exists no manner in which either the Locke et al '290 or '415 patents may be modified by the Soviet patent teachings so as to fairly teach and suggest the claimed embodiments of applicants' claims 1-12. In applying the Soviet patent teachings and modifying the Soviet patent teachings so that they may be incorporated in a hindsighted manner with both the Locke '290 and '415 patents, one must necessarily alter the construction and modify those elements which are relied upon in the Soviet patent to such an extent the modification defeats the entire purpose, function and the operability of the Soviet patent as well illustrated in Figure 2. Accordingly, all of the rejections which are based upon the combination of either Locke '290 or '415 and the Soviet patent must be withdrawn. The only teachings and suggestions which provide the necessary guidance to randomly glean elements out of the context in which they are found, stems solely from applicants' own unobvious contribution to the art. The 35USC103 rejections constitute nothing more than hindsighted reconstruction of the prior art solely in view of applicants' invention and thus, such a reconstruction of the prior art is impermissible under 35USC103.

The claimed invention of applicants' claims 1-12 functions in an entirely different manner by relying upon an unique cooperative arrangement of claimed components undisclosed and uncontemplated by the Soviet patent to produce an entirely different function and end result from the Soviet patent teachings. To modify the Soviet patent to include the unique and unobvious claimed embodiments of applicants' invention would destroy the essence of the Soviet patent teachings and also render it inoperative for its intended purpose and function. Patents do not teach and suggest modifications which destroy or modify their teachings to such an extent the device as taught by the patent no longer functions in its intended manner.

As clearly stated in 2143 of the MPEP that:

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.  
In re Ratti, 270 F 2d 810, 123, USPQ 349 (CCPA 1959).

In the Office Action of paragraph 5, claims 11-12 further stand rejected under 35USC103(a) as being unpatentable over Manzer as applied to claim 8 above and in further view of the Soviet patent. It is acknowledged that Manzer does not disclose an accessing port for the removal of contaminates from a feeder. As a matter of fact, Manzer only discloses water containing bowls such as animal watering bowls and bird bath bowls used in combination with the disclosed Manzer valve assembly, none of which bear any relationship whatsoever to a applicants' claims 1-12. Manzer is not intended for use as a hummingbird feeder nor does it bear any relationship to it nor is there any plausible reason to construe Manzer as teaching a hummingbird feeder having an access port for the removal of contaminates from the Manzer flushing valve. Manzer has a toilet flushing valve device and a bowl which flushes the bowl to an outside environment. There is no trap or capture of contaminates by Manzer. Similarly, the Soviet patent does not disclose an overflow trap which includes an accessing port to remove contaminates from a tank. All the Soviet patent discloses is a pipe through which the flushed materials drain. There is no covering lid, trap inlet or jacket, feeding cup or hummingbird feeding ports disclosed in either Manzer or Soviet patent. It certainly would not be obvious for one skilled in the art to take the device of Manzer and add an accessing port for the removal the contaminates via the Soviet patent since the Soviet patent does not even disclose the combined embodiments as cooperatively claimed by applicants in claims 11 and 12.

Claims 11 and 12 embrace an overflow trap in having a contaminant trap tank for containing the flushed contaminates. Wherein, in any of the cited patents, is there taught a contaminant tank much less an accessing port to remove such contaminates from the contaminant tank? Further more, what reason exists for an accessing port for the removal

of the contaminates from any feeder of record or removing it from a collecting contaminant tank under any of the cited 35USC103 patents? There is no need, no function nor purpose served thereby in any of the cited patents. Similarly there is nothing whatsoever in any of the patents of record which would remotely teach and suggest the claimed embodiments of applicants' claim 12 including a contaminant trap tank for containing the flushed contaminates. None of the patents have any relevancy to these claimed embodiments. It is an element of claims 11 and 12 which is not disclosed by any of the cited patents. Moreover, there isn't anything that relates to the function and purpose which is served by the applicants' claimed hummingbird feeder and the method of its use.

The postulated reconstruction of the prior art as applied in the 35USC103 rejections of record pertains to totally completely different devices which are intended for use in an entirely different manner coupled with speculative and unfounded conclusions that these prior art devices could somehow be fortuitously reconstructed through the highest order of hindsighted reconstruction to cooperate and function in the same manner as prescribed by the applicants' claims 1-12 herein. The guidelines for a 35USC103 rejection does not permit such a strained reconstruction of a prior art solely in the light of an applicants' invention to form a basis to sustain a 35USC103 rejection.

The elements of applicants' claims 1-12, the manner in which these elements have been combined to function and produce an entirely different end result and method of use are cooperative claimed elements which remain undisclosed and unsuggested by the art of record.

For reasons mentioned above, there exists no factual basis for rejecting applicants' claims 1-12 by reason of the cited patents or record. The cited prior art neither collectively nor singularly suggest nor remotely contemplates the cooperative arrangement of applicants' claimed components or, even more remotely, the unknown and undisclosed

result achieved thereby. The 35USC103 rejection of applicant's claims should accordingly be withdrawn.

The prior art cited in paragraph 6 of the Office Action fails to contribute any additional information in support of the 35USC103 rejection of record. None of these patents provide any teachings or suggestions relative to uniquely different and patentable attributes of applicants' claims 1-12.

**Closing Statement**

If for any reason, the Examiner should regard the objections and rejections of record as not being overcome by this response, applicants' attorney respectfully requests the Examiner to contact applicants' attorney by telephone to set up an interview. It is believed that such an interview will be helpful in placing the application in condition for allowance.

Applicant respectfully submits that the application and claims are in condition for allowance. The responsive amendments herein are fully supported by the original text of the patent application. The claims meet the formal requirements of the patent laws and define patentable subject matter over the art of record. Reconsideration of the objections and rejections of record, and early allowance of the application and claims are respectfully requested.

Dated this 20th day of April, 2004.

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onto trap ports 31 porting onto contaminant trap tank 33. When it is desired to either remove and clean the overflow trap tank 33 or add fresh feed reservoir 3, the pump 7 may be separated from the conduit 11B and waste return column 17 from post jacket 15 allowing for the removal of covering lid 13, thus providing access to both contaminant trap tank 33 and the feed reservoir 3.

5 With particular reference, the Figure 6 cross-sectional view shows a feeder 1 which differs in appearance but functions in the similar manner to feeder 1 of Figures 1-4. Excess feed (F) is pumped with pump 7 from fresh feed reservoir 3 through feed conduit 11a causing feeding cup 5 to overflow, spilling excess feed onto angled trap jacket 15A which guides the spilled and usually contaminated feed onto trap column 17 which is supported by waste column support 17A. The 10 trapped contaminates of spilled feed is piped from trap column 17 through contaminate discharge pipe 25p 32 which discharges the contaminated feed into waste discharge tank 33.

The feeder 1 as depicted in Figures 5 & 6 basically embodies the same overflow features of the feeder 1 shown in Figures 1-4. The feeder 1 similarly includes what is shown as a supportive base 13B depicted as a flat base (as opposed to the plant pot 13 support base of 15 Figures 1-4) which serves as a base 13B for feeder 1. Similar to the Figure 1-4 feeder 1, the feeding cup 5 is housed within overflow trap 9 as shown in Figures 1-4.

The base 13B supports the waste contaminant tank 33, the food reservoir 3 and trap return column 17 which serves as a mount for the feeding cup 5 and collector for overflow trap 9. With particular reference to Figure 6, it will be observed that the feeding cup 5 is also housed within 20 the contaminate overflow trap 9 is bordered at the initial waste collecting site by an angular pipe tube 15A such as a pipe fitting equipped with a lid 23 having a lip 25 and a feeding orifice 27 positioned so as to provide access to the feeding cup 5 by the feeding bird. Similar to the overflow attributes of the Figure 1-4 feeder, the feeding cup 5 is housed within the waste return column 17 with a feeding brim 5B positioned so as to allow the overflow feed to flow into trap 25 collector 15A of the overflow trap housing 9. Trap column 17 serves dually to house the feed conduit 11a and as the waste return. As may be further observed, the waste return column 17 includes a coupling stop barrier 17B which collects the overflow contaminates for transfer onto waste conduit 32 to waste tank 33.